



U.S. Department of Justice

United States Attorney
Southern District of New York

86 Chambers Street
New York, New York 10007

January 6, 2023

Via ECF

Honorable Stewart D. Aaron
United States Magistrate Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *Jingyuan Yang et al. v. United States of America et al.*, 21 Civ. 6563 (SDA)

Dear Judge Aaron:

This Office represents the United States of America (“United States” or the “government”) in this action. Plaintiffs Jingyuan Yang and Yan Li, individually and as parents and natural guardians of S.Y., an infant, assert claims under the Federal Tort Claims Act and state law stemming from the delivery of infant plaintiff S.Y. and subsequent medical treatment against the United States, as well as co-defendants New York-Presbyterian Healthcare System, Inc., d/b/a New York-Presbyterian Lower Manhattan Hospital; and New York-Presbyterian Weill Cornell Medical Center (together, the “New York-Presbyterian Defendants”).

We write respectfully on behalf of all parties to submit this status report in accordance with the Court’s order dated September 23, 2022. *See* Dkt. No. 46.

Since the parties’ last status update, Dkt. No. 45, the parties have taken the depositions of two medical providers from New York-Presbyterian Hospital: Kaliyah Alfred, RN, on November 8, 2022; and Renee Samuels, RN, on December 1, 2022.

As noted in the United States’ letter dated December 20, 2022, the deposition of a final witness employed by the New York-Presbyterian Defendants, Johanna Calo, MD, was originally scheduled for December 21, 2022, but was postponed due to illness. Dkt. No. 49. Dr. Calo’s deposition is currently scheduled for January 10, 2023.

Additionally, on January 5, 2023, Plaintiffs’ counsel furnished a medical authorization for an additional medical provider who provided care to S.Y. The government is in the process of issuing a subpoena to seek any additional relevant medical records.

Under the present schedule, fact discovery will close on January 21, 2023, to be followed by the exchange of expert reports and expert depositions. *See* Dkt. No. 50.

We thank the Court for its consideration of this submission.

DAMIAN WILLIAMS
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cc: Counsel of record (via ECF)